

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: BOBBY G. MANSEL
DEBTOR**

CASE NO: 11-10334

**BOBBY G. MANSEL,
PLAINTIFF**

v.

**GMAC MORTGAGE, LLC,
DEFENDANT**

ADVERSARY NO. 11-01053

**CONSENT ORDER ON DEBTORS' COMPLAINT TO DETERMINE THE
VALUE OF SECURITY AND CREDITOR'S ALLOWED SECURED CLAIM**

THIS CAUSE coming on to be heard before the undersigned Bankruptcy Court Judge for the Northern District of Mississippi, Aberdeen Division, upon filing of a Complaint to determine the value of security and Creditor's allowed secured claim, and the Court, after and Answer being filed by GMAC Mortgage, LLC, (hereinafter "Defendant"), reviewing the pleadings and being advised that this order is entered into with the consent of all parties, makes the following:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The underlying bankruptcy case was commenced by the filing of a petition with the Clerk of this Court on January 25, 2011.
2. On March 23, 2011, the Plaintiff filed a Complaint to determine the value of security and allowed secured claim of Defendant.
3. The Defendant filed an Answer on April 7, 2011.
4. All parties consent to the entry of this Consent Order, and all parties to this proceeding were served with Notice, are properly before this Court, and this Court has proper jurisdiction over this proceeding.

**BASED UPON THE FOREGOING FINDINGS OF FACT AND
CONCLUSIONS OF LAW, AND BY AND WITH THE CONSENT OF THE
PARTIES, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS
FOLLOWS:**

A. The parties agree that there is no equity in Plaintiff's home as the debt owed on the first mortgage lien is for an amount greater than the value of the property;

B. The balance of Defendant's claim will be treated as a general unsecured claim under the plan;

C. All claims of Defendant remaining after its distribution from the Chapter 13 Trustee as a general unsecured creditor will be discharged upon the entry of a Final Decree and Discharge Order in the base case;

D. That upon entry of the discharge order in this case, a certified copy of this order along with a copy of the discharge order will be filed with the Chancery Clerk of DeSoto County, Mississippi for the following described property:

LOT 692, SECTION C, SOUTHAVEN SUBDIVISION,
SITUATED IN SECTION 23, TOWNSHIP 1 SOUTH, RANGE 8
WEST, DESOTO COUNTY, MISSISSIPPI, AS SHOWN BY
THE PLAT RECORDED IN PLAT BOOK 2, PAGES 19-22, IN
THE OFFICE OF THE CHANCERY CLERK OF DESOTO
COUNTY, MISSISSIPPI.

E. That the filing of this order with a copy of the Discharge Order will act to release Defendant's Deed of Trust;

F. Both parties shall bear their own expenses related to the prosecution of this matter; and

G. That the attorney for the Plaintiff shall be allowed to file an Application for Compensation for reasonable services performed in relation to this adversary proceeding to which the undersigned will review and decide upon at a later date.

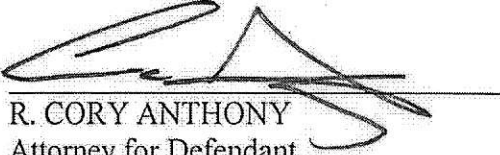
SO ORDERED AND ADJUDGED on this the _____ day of _____, 2011.

HONORABLE DAVID W. HOUSTON, III
U.S. BANKRUPTCY JUDGE

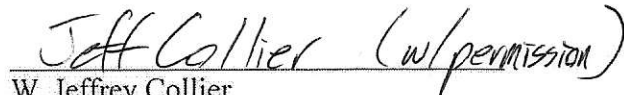
AGREED AND APPROVED BY:

/s/William L. Fava
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